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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

XMISSION, L.C., a Utah company, Plaintiff, vs. MODARAMO MEDIA, LLC DOES 1-10, Defendant.	DECLARATION OF PETER ASHDOWN Case No. 2:22cv00199-DBB-CMR Judge Romero
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I, Peter L. Ashdown, being first duly sworn and having personal knowledge of the
Matters asserted herein, do hereby declare as follows:

1. I am the founder of XMission, L.C.
2. I am currently the Chief Technical Officer and President of XMission.
3. Over a relatively short period of time, XMission received thousands of emails that all had a similar look and feel. The majority of the emails contained generic advertising to no company in particular—typically disguised as newsletters.
4. The emails had all the markings of lead generation spam (i.e., emails designed to induce consumers to click links and provide personal information which could then be used as a sales lead).

5. Pursuant to agreement with its customers, XMission clicked available opt-out links in emails in an attempt to get the spam to stop. These effort appear to have had little to no effect.

6. XMission also recorded redirect data embedded in the email links in an effort to identify the responsible party.

7. Over 9,000 of the emails contained the redirect link mdrtrck.com.

8. Some of the emails advertised identifiable brands such as the 1tac Tactical Flashlight.

9. The 1tac emails lead XMission to a company called Columbus, the seller of the 1tac Tactical Flashlight, who identified mdrtrck.com as belonging to Defendant, one of Columbus's marketing affiliates.

I declare under penalty of perjury of the laws of that State of Utah and the United States of America that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 4th day of August 2022.

/s/ Peter L. Ashdown

Peter L. Ashdown

(* I certify that I have the signed original of this document which is available for inspection during normal business hours by the Court or a party to this action.

*Declaration electronically signed, pursuant to U.C.A. § 46-4-201(4) and District Of Utah CM/ECF and E-filing guidelines)